

REMARKS

This application has been reviewed in light of the Office Action dated August 24, 2004. Claims 1-30, 52, and 53 are pending in this application. Claims 31-51 have been canceled, without prejudice or disclaimer of subject matter. Claims 1, 15, 23, 27, and 52 have been amended to define still more clearly what Applicant regards as his invention. Claims 1, 15, 23, 27, and 52 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 1-3, 9, 15, 19, 31, 38 and 45 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,430,298 (Possin et al); rejected Claims 4-8, 12-14, 16-18, 22-30, 32-36, 39-43 and 46-48 under 35 U.S.C. § 103(a) as being unpatentable over Possin et al. in view of U.S. Patent No. 6,271,525 (Majewski et al.); and rejected Claims 10, 11, 20, 21, 37, 44, and 49-51 as being unpatentable over Possin et al. in view of U.S. Patent No. 4,011,454 (Lubowski et al.). Cancellation of Claims 31-51 renders their rejections moot. Applicant respectfully traverses the rejections relating to Claims 1-30, 52, and 53.

Applicant submits that amended independent Claims 1, 15, 23, 27, and 52, together with the remaining claims dependent thereon, are patentably distinct from the cited art at least for the following reasons.

The aspect of the present invention set forth in Claim 1 is an image pick-up apparatus that includes a wavelength converter for converting an incident radiation to a light having a wavelength detectable by a photoelectric conversion element on an insulating substrate on which plural photoelectric conversion elements and plural switching elements are deposited. The wavelength converter is deposited on a flattening layer. In

addition, the plural photoelectric conversion elements, the plural switching elements, and the flattening layer are situated between the insulating substrate and wavelength converter. Support in the specification for the latter feature can be found at least from page 10, line 10, to page 12, line 17, with reference to Figures 3A and 3B.

Possin et al., as understood by Applicant, discusses an image pickup apparatus comprising a wavelength converter for converting incident radiation to a light having a wavelength detectable by a photoelectric conversion element on a semiconductor block (see col. 3, line 61 to col. 4, line 41, in particular, “electrically conductive back contact layer 138”) on which plural photoelectric conversion elements and switching elements are disposed, wherein the wavelength converter is deposited on an optical coupling layer, and wherein the plural photoelectric conversion elements, the plural switching elements, and the flattening layer are situated between the semiconductor block and wavelength converter. However, Applicant submits that nothing has been found in Possin et al. that would teach or suggest an insulating substrate on which plural photoelectric conversion elements and plural switching elements are deposited.

Accordingly, at least for this reason, Applicant submits that Claim 1 is patentable over the cited prior art.

Independent Claims 15, 23, 27, and 52 include the same feature of plural photoelectric conversion elements, plural switching elements, and a flattening layer being situated between an insulating substrate and wavelength converter, as discussed above in connection with Claim 1. Accordingly, Claims 15, 23, 27, and 52 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and the allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter G. Thurlow", written over a horizontal line.

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